

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JIMMY PEREZ AYON,
Defendant.

No. 2:22-cr-0176-TLN

UNITED STATES OF AMERICA,
Plaintiff,
v.
AMALIA REBECCA GONZALEZ,
Defendant.

No. 2:22-cr-0177-TLN

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSE SANTANA AYON ARAGON,
Defendant.

No. 2:22-CR-0178-TLN

1 UNITED STATES OF AMERICA,
2 Plaintiff,
3 v.
4 KEMBERLY FLORES LOPEZ,
5 Defendant.

No. 2:23-CR-0013-WBS

ORDER

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7 Plaintiff filed a Notice of Related Cases on February 21, 2023. Examination of the above-
8 captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997).
9 Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern
10 District of California, actions are related when they involve the same parties and are based on the
11 same or similar claim(s); when they involve the same transaction, property, or event; or when
12 they “involve similar questions of fact and the same question of law and their assignment to the
13 same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a). Further,

14 [i]f the Judge to whom the action with the lower or lowest number
15 has been assigned determines that assignment of the actions to a
16 single Judge is likely to effect a savings of judicial effort or other
economies, that Judge is authorized to enter an order reassigning all
higher numbered related actions to himself or herself.

17 L.R. 123(c).

18 In *United States v. Perez Ayon*, Case No. 2:22-cr-0176-TLN, Defendant Jimmy Perez
19 Ayon was charged in a five-count Indictment on August 11, 2022. In *United States v. Ayon*
20 *Aragon*, Case No. 2:22-cr-0178-TLN, Defendant Jose Santana Ayon Aragon was charged in a
21 three-count Indictment on August 11, 2022. In *United States v. Gonzalez*, Case No. 22-cr-0177-
22 TLN, Defendant Amalia Rebecca Gonzalez was charged in a six-count Indictment on August 11,
23 2022. In *United States v. Flores Lopez*, Case No. 2:23-cr-0013-WBS, Defendant Kemberly
24 Flores Lopez, waived indictment and was charged in a one-count Information filed on January 20,
25 2023. The Government represents the conspiracy charged in *Flores Lopez* overlaps with the
26 conspiracy charged in *Perez Ayon*, *Gonzalez*, and *Ayon Aragon*. (ECF No. 30.)

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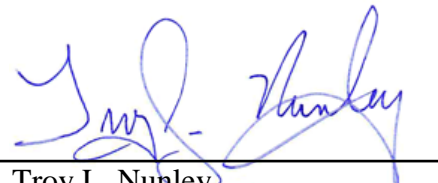
1 Accordingly, pursuant to Local Rule 123, the Court finds these cases involve the same
2 parties and/or witnesses, and based on the representations by the Government, the same evidence
3 regarding the conspiracy charge in each case. The Court further finds, reassignment of the cases
4 to the same district judge is “likely to effect a substantial savings of judicial effort” because it will
5 necessarily avoid the “substantial duplication of labor” by the judiciary of this district, including
6 any issues regarding discovery or admissibility of evidence and any questions of law that may
7 arise thereto. *See* E.D. Cal. L.R. 123(a)(3)-(4).

8 Relating the cases under Local Rule 123, however, merely assigns these cases to the same
9 judge, it does not consolidate them. Under the regular practice of this Court, related cases are
10 generally assigned to the judge and magistrate judge to whom the first filed action was assigned.
11 Should either party wish to consolidate the actions, the appropriate motion or stipulation must be
12 filed.

13 IT IS THEREFORE ORDERED that the action denominated 2:23-cr-0013-WBS is
14 reassigned to District Judge Troy L. Nunley, and the caption shall read 2:23-cr-0013-TLN. Any
15 dates currently set in 2:23-cr-0013-WBS are hereby VACATED.

16 IT IS SO ORDERED.

17 **DATED: February 23, 2023**

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19 
20 Troy L. Nunley
United States District Judge